

East Suffolk Council. Examination of the Suffolk Council Local Plan

Inspector: Philip Lewis BA(Hons) MA MRTPI

Programme Officer: Annette Feeney

Tel: 07775 771026, email: Annette.feeney@eastsoffolk.gov.uk

Desi Reed – Planning Policy and Delivery Manager

East Suffolk Council

By email

31 January 2020

Dear Ms Reed

Examination of the Suffolk Coastal Local Plan

As I indicated at the conclusion of the examination hearings on 20 September 2019, I am writing to set out my thoughts on the Suffolk Coastal Local Plan (the Plan) at this stage and the way forward for the examination. My comments are based on all that I have read, heard and seen to date, including the Inspector led consultations conducted after the hearings finished. However, I emphasise that the examination is not yet concluded and consultation on main modifications is still to take place. Therefore, these comments are without prejudice to my final conclusions on the Plan.

Overall, I consider that, subject to main modifications, the Plan is likely to be capable of being found legally compliant and sound. I will set out my reasoning for this in my final report. The main modifications should include changes proposed by the Council through their hearing statements and submissions, where I consider they should be treated as main modifications in accordance with the tests for soundness, together with the further main modifications to individual policies and their supporting text as discussed at the hearings. I have invited the Council to prepare a consolidated set of these proposed main modifications for my consideration prior to public consultation on them and I will respond separately in this regard. In addition, there are several matters discussed at the hearings which I said I would take away for further consideration. I set out my response to these matters below.

Local Housing Need

Firstly, I consider it would be helpful to outline my thoughts on the soundness of the approach to the provision for new housing in the Plan. The submitted Plan has been prepared using the standard method for assessing local housing as set

out in the revised National Planning Policy Framework (The Framework) 2019 and the Planning Practice Guidance (PPG). It sets a minimum of 582 homes per annum or 10,476 for the period 2018 - 2036. Whilst the Council reached this figure using the standard method, the calculation uses the 2016 based household growth projections, rather than the 2014 based projections as set out in the PPG. In response to my correspondence before the hearings, the Council has recalculated the local housing need figure, using the 2014 based projections and the 2018 median workplace affordability ratio for both the Plan area and wider Ipswich Housing Market Area (HMA) within which the Plan area is situated. The recalculated figure for the Suffolk Coastal area provides a minimum figure of 542 new homes per annum, or 9,756 for the Plan period. These figures were discussed at the hearings.

I will set out in my final report why I consider there is not justification to otherwise adjust the 542 homes figure. Consequently, the Plan should be modified to provide for a minimum of 542 homes per annum, or 9,756 for the Plan period. Specifically, Policy SCLP2.1 should be amended to include that an immediate review of the Plan or relevant strategic policies, would be triggered at the point where it is established through the adoption of a development plan that there is unmet need arising in a neighbouring authority area in the HMA.

Housing for older people

The PPG sets out that Plan-making authorities should set clear policies to address the housing needs of groups with particular needs such as older and disabled people. Whilst the SHMA update (D16) sets out that the Local Housing Need projections indicate that the population aged 65 or over is going to increase dramatically in the HMA over the plan period; from 104,985 in 2018 to 153,578 in 2036, the evidence as submitted was not clear as to the specific numbers and types of accommodation required for older people in the Suffolk Coastal area over the plan period. I requested further information which was provided by the Council after the relevant hearing session. The Council's Note on Specialist Housing (I8), quantifies the number of general market and affordable housing units required to meet the needs of older people and provides a breakdown in terms of size.

The Note on Specialist Housing also identifies the net need for specialist accommodation for older people in Suffolk Coastal for the plan period. The net requirement for additional market and affordable residential care, sheltered housing and enhanced sheltered/extra care housing identified is significant. To be positively prepared, the Plan should be altered to state the number of units of specialist housing required for older people for the plan period.

Whilst the Plan makes specific provision for older people's housing at the North Felixstowe Garden Neighbourhood comprising care home / extra care / sheltered homes, and contains a requirement for housing to meet the needs of older people at the South Saxmundham Garden Neighbourhood and at a number of allocations, the overall level of provision proposed for housing for older people is not quantified. The Plan should be clear in what it is seeking to deliver in terms

of housing for older people and should be amended accordingly. This is related to my comments regarding accessible housing below.

The Plan as submitted seeks to address the needs of older people through Policy SCLP5.8 Housing Mix. The Policy however, whilst supporting the provision of housing for older people, does not address clearly the significant need identified and would not be effective in delivering the market or affordable housing units for older people required. The Policy and supporting text should be amended to set out how the housing needs of older people will be addressed through the provision of housing and to boost the supply of this type of housing. In addition, the affordable housing policies, SCLP5.10 and SCLP5.11 should address the affordable housing needs of older people.

Accessible housing

In Policy SCLP5.8, it is proposed that the requirements of Part M4(2) of the Building Regulations for accessible and adaptable homes are applied to at least 50% of homes on proposals of 10 units or more. This figure has been derived from the projected increase in the number of people aged 65 or over with a limiting long term illness through the plan period (as part of the significant ageing of the population overall) and evidence of the suitability of the existing housing stock from disabled facilities grants. Broadly, the calculated need for M4(2) housing overall is justified.

At the hearings, some concern was expressed about the possible overlap between the provision of specialist housing and market housing in providing M4(2) housing. Given the level of need for specialist housing for older people identified, these concerns are reasonable and I have not been convinced that the 50% figure is justified. Firstly, the Plan should be amended so that it is clear that Part M4(2) of the Building Regulations should apply to specialist housing, given the likely needs of future occupants. I invite the Council to revisit the calculation of the minimum percentage of dwellings which should meet the requirements of M4(2), having regard to the contribution that would be made by specialist housing to meeting the overall requirement. I will then be able to conclude on what is the appropriate % figure to be applied to non-specialist housing.

Policy SCLP5.9: Self-Build and Custom Build Housing

I conclude that Policy SCLP5.9 is sound as set out in the submitted plan and consequently no modifications are necessary.

Policy SCLP5.10: Affordable Housing on Residential Developments

The Council's Plan Viability Study (D38) found that flatted developments on brownfield sites would not be viable with any affordable housing contribution. Whilst such development is not anticipated to be a significant component in supply, applying the affordable housing requirement to brownfield flatted development would mean that Policy SCLP5.10 would not be deliverable. The Policy and text should be amended to make it clear that the affordable housing requirement does not apply to brownfield flatted development.

Provision for Gypsy, Travellers and Travelling Showpeople

The Gypsy, Traveller, Travelling Showpeople and Boat Dwellers Accommodation Needs Assessment for Babergh, Ipswich, Mid Suffolk, Suffolk Coastal and Waveney May 2017 (ANA) identifies additional need for 15 pitches for Gypsy and Travellers households that meet the definition set out in the Government's Planning Policy for Traveller Sites (2015) (the PPTS). The identified need relates to 10 pitches arising from two unauthorised 'New Traveller' sites which I understand have existed for 20 years or so, with an additional 2 pitches required by 2021 and a further 3 by 2036 relating to new family formations. No future need has been identified in Suffolk Coastal for people who do not meet the PPTS definition.

The existing need is being met by the unauthorised sites, which are long established and may be considered as being lawful. In these particular circumstances, these sites could be included within the existing supply as they are meeting present needs. The main modifications proposed to the Policy and supporting text should reflect this.

Infrastructure Provision - Ipswich Northern Route

Policy SCLP2.2 supports the timely delivery of a number of key strategic infrastructure projects, including the Ipswich Northern Route, a new road to improve connectivity between the A12 and A14 road corridors. A consultation has been undertaken in respect of three potential route options, the results of which have been fed into the Strategic Outline Business Case for the project. At this time, it is unclear which if any of the identified potential routes would be progressed. Should a potential route be identified as the preferred route and should the project be approved, this is likely to have significant implications for future development in the HMA, which the local planning authorities and County Council should address through the duty to cooperate. This would not be a quick or straightforward matter to resolve. Given the potential significant implications for development in the HMA should a detailed scheme be approved, this should trigger an immediate review of the strategic policies of the Plan and the Policy SCLP2.2 should be amended accordingly.

Employment land provision

The Plan is seeking to make allocations of B class employment land to meet the needs identified jointly with the ISPA local authorities, and in addition, is proposing an allocation of employment land specifically in relation to the Port of Felixstowe for port related businesses and operations to support the continued viability of the Port.

The baseline minimum employment land for B class uses to be provided in the Ipswich Functional Economic Area (IFA) has been agreed by the ISPA authorities to be around 50 hectares for the period 2018 – 2036. This is reflected in Policy SCLP2.1, which states that at least 30,320 jobs and at least 49.8ha of employment land will be provided. The Suffolk Coastal employment land requirement is for 11.7 hectares of new allocated of employment land. I have no concerns regarding the soundness of the baseline requirement. In addition to a number of existing allocations which are proposed to be carried forward into this Plan, the Plan is proposing 29.62 hectares of new employment land allocations at Felixstowe Road, Nacton (SCLP12.20) and at south of Saxmundham (SCLP12.29).

The Nacton site is situated within the key property market areas for the business and professional services sectors in the Ipswich Economic Area as defined in the Ipswich Economic Sector Needs Assessment (Document D3). The proposed allocation at Saxmundham would be in conjunction with the garden neighbourhood proposal. These sites together would meet the additional need for employment land identified and allow some flexibility to ensure anticipated needs are met over the Plan period.

In addition, the Plan seeks to allocate 67 hectares of employment land at Innocence Farm, Trimley St Martin (SCLP12.35) for port related businesses and operations. The Council's Port of Felixstowe Growth and Development Needs Study: Final Report (D1) recognises the Port of Felixstowe as the UK's largest and busiest container port and it is clearly very important to the economy of the local and wider area. Container trade forecasts have been made and translated into requirements for off port land. These requirements range from 26.3 hectares (low case) to 103.8 hectares (high case). The report recommends that the Council consider planning for at least a Central case (i.e. just under 67 ha of land), to ensure that adequate space is made available for port-related growth and activity should it be needed over the plan period.

Some time was spent at the hearing sessions discussing the supply of and demand for land and warehousing for the Port. There was also some discussion of the likely future container numbers to be handled and where they are likely to be dealt with in the UK. I have conflicting views before me in this regard. However, from what I have heard and read, the assessment for the Council in regard to the likely demand for B8 employment land arising from Port related activities for the Plan period area appears ambitious and optimistic, particularly having regard to the existing pipeline of employment land in the Felixstowe area and that there has been no new warehouse building in the area for many years.

The Report (D1) also found that there was an existing pipeline supply of employment land that is in close proximity to the Port of Felixstowe and considered suitable for port-related activities at just over 67 hectares. Following the hearings, it was confirmed that there is planning permission on land at the Port of Felixstowe Logistics Park and at Clickett's Hill for B8 uses. In quantitative terms, this is sufficient employment land now to meet the projected needs at the Council's preferred Central case for the Plan period. However, I agree that the existing supply, due to the scale, location and nature of some of the sites is unlikely to meet the full central case need for the whole of Plan period. However, were I to accept the Council's position in terms of the employment land needed for the Port, it is apparent that the existing pipeline of provision would be capable of meeting needs into the medium term.

There was also some discussion at the hearings concerning the detail of the proposed allocation at Innocence Farm, including the proposed access, rail connection and potential environmental effects. The Innocence Farm site is situated adjacent to the A14 road. Whilst Highways England considers that the site could be reasonably delivered without causing severe impacts on the A14, an all movement junction is required to serve the site. I agree with the Council, County Council and Highways England that this should be provided as early as possible in the development so as to prevent significant impacts on the highway network. Without it, the site could not be delivered as proposed.

There is however, very little evidence before me, as to the detail, feasibility or costs of such a junction, how it would be funded, whether the site would be viable with the necessary junction provision or whether the site could be phased so that safe and suitable access could be achieved prior to an all movement junction being provided. In the absence of such information, I have severe concerns as to whether the proposed allocation is deliverable. The Council's Plan Viability Study (D38) provides me with no comfort in this regard.

The allocation also includes provision for rail infrastructure, which is identified as an opportunity rather than a requirement. The site is not dependent upon the provision of the rail connection and infrastructure, but I cannot determine that this part of the proposal would be practical within the area proposed.

I have regard to the Framework which in paragraph 80 includes that significant weight should be placed on the need to support economic growth and productivity and in paragraph 82 includes that planning policies should recognise and address the specific locational requirements of different sectors, such as making provision for storage and distribution operations. However, I find that the Innocence Farm allocation is not adequately justified and it has not been shown that the proposal can be delivered over the plan period. To address the shortcoming would not be a quick or straightforward matter to resolve as it would involve, amongst other things, detailed work regarding the access to the site. This should not delay the adoption of this Plan. Consequently, I consider that the Innocence Farm allocation (SCLP12.35) should be removed from the Plan. Given the provision of employment land otherwise being made, there is no need to provide an alternative site to Innocence Farm.

Policy SCLP12.25: Suffolk Police HQ, Portal Avenue, Martlesham

I heard that it is anticipated that the existing Police Investigation Centre (PIC) at Martlesham would be retained in use. In accordance with paragraph 91 of the Framework, the Policy should be amended to ensure that the development of the site has regard to the PIC to ensure that the fear of crime does not undermine the quality of life for future and existing residents in the wider area.

Policy SCLP12.29 South Saxmundham Garden Neighbourhood

The proposed South Saxmundham Garden Neighbourhood (SCLP12.29) is intended to provide approximately 800 homes, community facilities, employment land and open space, through a masterplanned development. The indicative draft masterplan illustrates an area of employment land to the west of the A12, residential development and a community hub between the A12 and the railway and open space, including Suitable Alternative Natural Green Space (SANG) to the east of the railway.

The area identified to the east of the railway as part of the allocation is proposed to be included in the settlement boundary where Policy SCLP3.3 would apply. That is to say that development would be acceptable in principle. Part of this area is an area of land known as 'The Layers', which has some significance to local people and provides an open rural setting for several listed buildings. Policy SCLP12.29 is not clear that this area of land is intended to provide open space and SANG and not built development.

Given that this land has been separately promoted for development, but not as part of the proposed allocation, I consider that there has to be a reasonable prospect that it could be available at some point during the plan period. Therefore, its inclusion within the allocation is justified.

However, I do not accept the Council's argument that including the land east of the railway within the settlement boundary would provide for flexibility in the proposed allocation. Rather it provides uncertainty. This could give rise to pressure to develop the Layers and is inconsistent with the proposed employment land to the west of the A12 which is not included within the settlement boundary, but is still nevertheless part of the proposed allocation, providing for built development. As submitted the Plan is not clear and would not be effective in this form.

Having regard to all that I have read and heard at the hearing, I consider that it is feasible to achieve approximately 800 homes and a community hub on the land identified between the A12 road and the railway line as proposed in the South Saxmundham Garden Neighbourhood. The settlement boundary should be redrawn to exclude the part of the allocation to the east of the railway. Whilst the land to the east of the railway should be retained within the allocation, the Policy criteria should be clear that land within the allocation to the east of the railway is allocated for open space/SANG only.

Policy SCLP12.60: Land adjacent to Farthings, Sibton Road, Peasehall and Policy SCLP72: Land at Street Farm, Witnesham (Bridge)

The Framework states in paragraph 157 that all plans should apply a sequential, risk based approach to the location of development – taking into account the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. This includes amongst other things, applying the sequential test and then if necessary, the exceptions test. It is clear from the SA that the Council has considered a range of options in the site allocation process and has sought to use the Strategic Flood Risk Assessment to apply the Sequential Test. However, the SA is not clear as to why the Council considers that sustainability criteria outweigh flood risk issues. Consequently, the decision making process is not transparent and the reasoned justifications for the decisions to allocate these sites in areas at high flood risk is not provided in the SA report. This information is needed for me to judge whether the proposed allocations are sound. Please provide this information, either by way of an amendment to the SA to make the findings of the Sequential Test explicit for each of these sites, when considered against alternative sites, or as a separate Sequential Test report.

Policy SCLP5.8: Housing Mix

The Policy as submitted is over prescriptive in regard to the provision of 1 and 2 bed properties and the threshold of 5 or more homes has not been justified. The threshold and requirement to provide at least 40% 1 and 2 bed properties should be deleted to make the Policy effective and replaced with wording along the lines of 'Proposals for new housing development will be expected to deliver the housing needed for different groups in the community as identified in the latest Strategic Housing Market Assessment. New development should provide a mix of housing tenures, types and sizes appropriate to the site size, characteristics and location, reflecting where feasible the identified need, particularly focusing on smaller dwellings (1 or 2 bedrooms)'.

Policy SCLP11.9: Areas to be Protected from Development

The Plan includes a significant number of areas identified on the Policies Map to be protected from development. These varied areas include gaps and gardens, areas to prevent coalescence between settlements and a variety of other spaces. Policy SCLP11.9 sets out that development in these areas will be severely restricted.

Whilst the Council points to the importance the community places on these designations as expressed through responses to the Issues and Options document (A10) there is little or no evidence to justify why each of the areas should continue to be designated, how the boundaries have been defined or what is considered to be of such significance that development should be

severely restricted, which is high planning test. Furthermore, there is no evidence of any review of these designated areas, as was suggested in earlier local plan examinations. Their retention in Policy SCLP11.9 is consequently not justified.

Based on the current evidence, I consider that the Policy should be deleted. However, if the Council wishes to prepare further evidence for me to consider in justification of the retention of the designations, I am willing to agree some time for this limited exercise to be undertaken. There should be sufficient time to do this whilst the main modifications are finalised. There is however no guarantee that further evidence would persuade me to take a different view.

Conclusion

On the evidence I have read and heard to date, all of the main modifications I set out in this letter are necessary for the Plan to be sound. I should be grateful if the Council would let me know its response, particularly in connection with the matters on which I have offered the opportunity for more evidence to be prepared, so I can decide how to take forward the examination. I will contact you separately in regard to the schedule of main modifications compiled following the hearings via the Programme Officer. On receipt of this letter, the Council should make it available to all interested parties by adding it to the Examination website. However, I am not seeking, nor envisage accepting, any responses to this letter from any other parties to the examination.

Yours sincerely

Philip Lewis

INSPECTOR